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## **FREDERICK COUNTY PLANNING COMMISSION**

### **December 14, 2011**

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**TITLE:** **Mains Heights**

**FILE NUMBER:** **S - 002** (AP# 12056)

**REQUEST:** **Adequate Public Facility Ordinance (APFO) - Letter of Understanding Approval**

#### **PROJECT INFORMATION:**

LOCATION: West of Mains Lane  
ZONE: R-3 Residential  
REGION: New Market  
WATER/SEWER: S-3 Dev., W-3 Dev. (service expected in a 2-year period)  
COMP. PLAN/LAND USE: Low Density Residential

#### **APPLICANT/REPRESENTATIVES:**

APPLICANT: Prestige Construction, LLC  
OWNER: same  
ENGINEER: Harris, Smariga  
ARCHITECT: N. A.  
ATTORNEY: Not Listed

**STAFF:** Ron Burns, Traffic Engineer

**RECOMMENDATION:** **Approval**

#### ***Enclosures:***

*Exhibit #1: September 12, 2007 Staff Report*  
*Exhibit #2: Signed Letter of Understanding (LOU)*

# STAFF REPORT

## **BACKGROUND:**

**Purpose:** This item pertains to the APFO finding and approval of a revised Preliminary Plan for Mains Heights, concurrently undergoing staff level review and approval, that was previously conditionally approved at the October 14, 2009 FcPc Meeting. The purpose of the application is to modify the residential uses from restricted active adult to unrestricted use, addressing the roads and schools impacts associated with an increase in intensity of trip making and school student generation.

**Subdivision History of the Mains Property:** After a 2001 and 2004 Preliminary Plat approval, the FcPc approved a Preliminary Plat for "Mains Heights" for 59 lots (which included some townhouse lots) as an age-restricted community on April 12, 2006. The Mains Heights Preliminary Plat proposed a clubhouse, tennis court, putting green, gazebo, forest preservation and trails that connect to the sidewalk system and to the alleys. Many of the proposed amenities were duplicated in the adjoining Preston, Section 2 age-restricted development.

The Mains Heights Applicant later submitted a new 2007 Preliminary Plat design proposing to join the projects. The new June 2007 design approval retained the original 2006 APFO and Preliminary Plat approval date. An error was caught after the June 2007 FcPc approvals that required both projects to modify their unit counts. So, revised designs were approved at the September 2007 FcPc Meeting. Each design complied with the requirement that the single-family lots be 50% or greater of each project's mix.

## **Adequate Public Facilities Ordinance (APFO):**

**Roads:** Based on a January 5, 2011 traffic impact analysis developed by Lenhart Traffic Consulting, Inc. on behalf of the applicant and accepted with modifications, dated November 18, 2011, by the County, the new total of weekday peak hour trips generated by this site will be 41 in the morning and 50 in the afternoon.

The three off-site intersections deemed critical for this application and resulting levels of service (LOS) are as follows:

- MD 144/Quinn Orchard Rd/I-70 eastbound ramps: **LOS F**
- MD 144/Ridgefield Dr: **LOS A**
- MD 144/ Spring Ridge Pky: **LOS A**

The proposed mitigation for the failing MD 144 intersection at Quinn Orchard Rd/I-70 EB Ramps is the construction of an additional westbound through lane on MD 144 for approximately 2000' either side of the intersection. The applicant has agreed to contribute a fair share contribution toward this improvement in an amount of \$17,091. If this improvement is not necessary because of the construction of the missing Meadow Road interchange ramps with I-70, this amount may be used as a contribution toward the interchange project at the discretion of the County. The details of the contribution are found in the attached LOU.

**Schools:** The Project is projected to generate 13 elementary school students, 9 middle school students and 10 high school students. Based on these numbers and considering enrollment projections from pipeline development, the school adequacy test fails for the elementary and middle school levels. The developer has chosen the option to mitigate the school inadequacy by paying the

Schools Construction Fees under Section 1-20-62 of the APFO. The School Construction Fees shall be paid at plat recordation based on the specific fees listed in Section 1-20-62(E) per unit type and school level to be mitigated.

Water and Sewer Improvements: The Property is currently classified in the County's S-3 (Dev.) and W-3 (Dev.) sewer and water categories, and public water main lines are currently available to serve the Project.

The validity period of this application shall be for six years from the Planning Commission approval date.

**FINDINGS:**

Based upon the discussion in the report, the Staff finds that the application meets and/or will meet all applicable APFO requirements once all Staff and Agency comments and conditions are met or mitigated. With certain conditions of approval added, the Staff offers no objection to approval.

**RECOMMENDATION:**

The Staff recommends **approval** of the APFO application and full execution of the LOU.